

Fort Bragg Police Department250 Cypress Street
Fort Bragg, CA 95437-5437

Bus: (707) 961-2800

Fax: (707) 961-2806

Case Number
FG2301063Date
11/02/23Officer
ONEALPrimary Narrative**BACKGROUND:**

On 11/01/2023, our Department conducted five tows in areas surrounding the city for issues related to abandoned vehicles and extremely expired registration (approximately 1.5 years expired). Three of those vehicles were related to the public parking lot at the entrance to the Central Coast Trail (Oak Street at Chief Celeri Drive).

One of the vehicles towed included a vehicle belonging to Daniel Kisliuk that was parked in the public parking lot for the Central Coastal Trail. I was aware that Kisliuk was living in his vehicle at the time of the tow. The following information was taken into consideration prior to towing Kisliuk's vehicle:

- Kisliuk has been involved in no less than five reported assault cases in the last six months. Each of those incidents involved different suspects/victims, with a common theme being that Kisliuk verbally accosted the suspect/victim at some point that ultimately led to a physical fight. Most recently on 09/22/2023, Kisliuk engaged in a physical altercation with a transient as documented in **FG2300945**. During that investigation it was determined that the suspect/victim attempted to grab Kisliuk's body-worn camera off his shirt following a verbal argument. Kisliuk then struck the transient in the face with a metal water bottle at least once, as well as striking him several times with his fist. Kisliuk sustained no injury during the incident. The suspect/victim had several bones broken in his face and was transported via ambulance to the Emergency Room for treatment. This assault occurred at the public restroom approximately 200 feet from where Kisliuk was living in his vehicle.
- On 07/14/2019, as documented in **FG1900657**, Kisliuk violently assaulted a female officer without provocation by head butting her during the booking process. Kisliuk made multiple threats to officers in my presence and went as far as to mock the injured officer for being unable to protect herself. The statements made by Kisliuk are included in this report to demonstrate my knowledge of Kisliuk's mental mindset when dealing with law enforcement.
- On 10/19/2023, I contacted Kisliuk during an unrelated call for service where Kisliuk was trespassing on posted private property. During that

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contact, I offered to assist Kisliuk with locating housing, assisting with him obtaining or using MediCal, and other services intended to improve his living situation. I also offered to assist Kisliuk with getting into a bed at the Hospitality House. Kisliuk was instructed to meet with our Care Response Unit in order to begin receiving services. Kisliuk verbally accosted officers and never arrived to receive services. This information is included in this report to demonstrate that Kisliuk was offered housing services prior to his vehicle being towed.

- Kisliuk consistently carries a pocket and has asked me during previous conversations for information regarding his ability to use the knife in self-defense. During one conversation, Kisliuk stated something to the effect of "I am going to jam my knife into someone's throat if they don't stop messing with me".
- Kisliuk consistently carries a police scanner that he frequently uses to identify the location of law enforcement. Kisliuk then will travel to the scene on foot to harass officers. In a recent video posted to one of Kisliuk's social media accounts and taken on 10/21/2023, Kisliuk travelled to the location of an animal abuse investigation regarding a deceased feline. Kisliuk became irate due to two Sheriff's Deputies leaving their vehicles running during the investigation. Kisliuk would go so far as to block one of the Deputy's paths through a narrow hole in hedges in order to verbally accost the Deputy. Kisliuk would then follow the same officers to another location related to the investigation in order to continue to verbally harass officers. I would estimate that Kisliuk has responded to the scene of Fort Bragg Police Department's investigations after hearing the location on his police scanner no less than 20 times in the last six months.

NARRATIVE:

Based on the aforementioned information, I determined that towing Kisliuk's vehicle with him present would likely result in a violent confrontation. Officers checked the vehicle multiple times during the day and found it to be occupied by Kisliuk. In order to encourage Kisliuk to leave the area, I broadcast on the radio that officers were looking for an injured cat in the area of the Catholic Church. Kisliuk immediately left his vehicle on foot and ran to the area where officers were broadcasted as looking for the cat. It should be noted, that I selected this particular broadcast due to Kisliuk's recent multiple social media posts regarding the animal abuse investigation involving a cat.

As Kisliuk was observed leaving the area, I requested a tow truck to respond to the Central Coastal Trail parking lot in order to have Kisliuk's vehicle towed under Section 22651(o) VC. Once on scene I confirmed that Kisliuk's registration

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expired in April of 2022. I also had previously confirmed that there was no record of Kisliuk making any attempt to register his vehicle since September of 2021. I also took into consideration that on 01/17/2023, as documented in **FG2300056**, Kisliuk was arrested with approximately \$20,000 cash in his pocket, indicating that he had the means to pay for his registration but had failed to do so.

I located Kisliuk's vehicle was locked with the windows up. No inventory was completed of the vehicle due to it being secured, and not wanting to risk damaging the vehicle by forcing entry. The vehicle was towed by Fort Bragg Towing without incident.

While on scene a second vehicle parked next to Kisliuk's was also towed for having registration expired over a year old. That vehicle was towed by Orca Towing.

At 22:20 on my body-worn camera, Kisliuk arrives on scene where his vehicle was towed from. Kisliuk confronted me regarding towing his vehicle and I explained to him that all of the abandoned vehicles and expired vehicles were towed from the same lot.

I explained to Kisliuk that I had personally attempted to assist him with housing, and that the court had attempted to help him receive services as well as part of his assignment to Behavioral Health Court. Kisliuk became agitated and ended the conversation. I walked back to the front of the second towed vehicle to continue preparing that vehicle to be towed.

Kisliuk followed me to where I walked. The location I was standing was in a narrow walkway between a cyclone fence and vehicle (approximately two foot wide). This reduced my ability to retreat from Kisliuk without turning my back to him.

Kisliuk continued to close the distance between the two of us and was now carrying a set of heavy leather boots in his right hand. I also noted that Kisliuk had a pocketknife in his front left jeans pocket accessible with his free right hand.

Kisliuk continued to verbally argue with me while I offered to obtain him a bed in the Hospitality House. I explained repeatedly to Kisliuk the reason that his vehicle was towed.

At 25:55, in my body-worn camera, Kisliuk throws his boots to the ground, and charges towards me while extremely agitated coming within striking distance. At one point, Kisliuk "cocks" his left hand backwards at shoulder level as if he intends on striking me. Kisliuk moves backwards, then turns and charges towards Sergeant Ferris coming within striking distance. Kisliuk turns, and again

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charges me with his hands raised. I inform Kisliuk that he cannot "charge up on me" like that. It should be noted that I have told Kisliuk on no less than five different occasions that he cannot approach police officers in an aggressive manner.

I tell Kisliuk he needs to walk away and he turns and states something to the effect of "I'm going to kill all of you." Based on Kisliuk's extensive violent history, combined with his highly agitated state, I formed the opinion that Kisliuk's statement was intended to deter law enforcement through threat of force or fear, from performing our duty, both during this incident and future incidents. I also formed the opinion that Kisliuk's threat to kill us was unequivocal and that he had the ability to carry it out being armed with at least a knife.

I informed Kisliuk that he was under arrest, and he began walking backwards away from officers. Kisliuk resisted the arrest process by tensing his arms while being handcuffed, and then threw his body weight against officers and away from officers while being moved to the back of the patrol vehicle.

Kisliuk was transported to the Fort Bragg Police Department by Officer Frank.

At 35:19 on Officer Baker's body-worn camera video, I read Kisliuk his Miranda Rights from an agency issued card. Kisliuk was now in the Booking area of the Fort Bragg Police Department. Kisliuk confirms that he understands his rights and agrees to speak with me. The following is summary of his statement:

STATEMENT OF DANIEL KISLIUK:

Kisliuk denies wanting to injure officers and insists that he is only trying to help the community. Kisliuk confirms that he assaulted another officer several years ago without provocation. Kisliuk admits that I have provided him previous warnings that he cannot "charge up on me" during other encounters. Kisliuk confirms that I spoke with him several weeks ago and had offered to help him with housing, medical services, and other resources. Kisliuk admits that he came close enough to me to strike me in the face multiple times. Kisliuk denies raising his hand as if he intended to strike me. When asked about the threat he made, Kisliuk states, "I was expressing my emotions, and as I was walking away, I said I'm about to, because that's where you guys are putting me". Kisliuk then states, "I invoke my Fifth Amendment right".

End of statement.

Note: I interpreted Kisliuk's statement regarding why he threatened officers as affirming his intention to carry out the threat if officers continued to perform their duties related to enforcing the law against him.

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NARRATIVE CONTINUED:

While my questioning of Kisliuk ended at his request, I did continue to attempt to verbally deescalate Kisliuk prior to being transported. The booking process was completed and Kisliuk was transported to County Jail by Officer Frank.

During the transport to jail Kisliuk stated to Officer Frank something to the effect of "When I get out, I am going to find you and provoke you so much that you are going to have to put a bullet in my head".

EVIDENCE:

Body-worn camera video.

RECOMMENDATION:

Forward to the District Attorney's Office for prosecution.

Approved by : ONEAL Date : 11/02/2023 10:18 AM

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Name